

## U.S. Department of Labor

Employment Standards Administration  
Office of Federal Contract  
Compliance Programs  
Washington, D.C. 20210



MAR 29 2005

Mr. Calvin Scott, Sr.  
1416 Merler Road  
Pike Road, AL 36064

Re: Calvin Scott, Sr. vs. Alabama State Rehabilitation Business  
Enterprise Program

Dear Mr. Scott:

This is in response to your correspondence dated February 10, 2005, to President George Bush regarding your complaint that as a Blind Enterprise Vendor, you were denied access to the Gordon Parson's State Office Building in Montgomery, AL, where you performed vendor service. The State Office Building Manager installed electronic card readers on doors and refused to give you a card to provide you the same access as the state employees, which you feel is in violation of the Americans with Disabilities Act (ADA). Your correspondence was referred to the Office of Federal Contract Compliance Programs (OFCCP) for a direct response. OFCCP received your correspondence on March 9, 2005.

OFCCP administers and enforces three equal employment opportunity laws: Executive Order 11246, as amended (EO 11246); Section 503 of the Rehabilitation Act of 1973, as amended (Section 503); and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (VEVRAA). These laws prohibit Federal contractors and subcontractors from discriminating on the bases of race, color, religion, sex, disability or veteran status. They also require affirmative action in employment by Federal contractors and subcontractors. OFCCP also shares responsibility with the Equal Employment Opportunity Commission (EEOC) in enforcing Title I of the Americans with Disabilities Act (ADA). The EO 11246 requires that a complaint be filed within 180 days from the date of the alleged discriminatory act and complaints filed under VEVRAA, Section 503 and ADA must be filed within 300 days.

OFCCP does not have jurisdiction over Title II of the ADA regarding State and local government activities. The U.S. Department of Justice (DOJ) is responsible for enforcing Title II of the ADA, which requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services and courts). We, therefore, referred your correspondence to the following DOJ office:

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Mr. R. Alexander Acosta  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Attn: Disability Rights Section - NYAV  
Washington, D.C. 20530

For additional information, you may contact the Civil Rights Division at (800) 514-0301 (voice) or (800) 514-0382 (TTY) or go to [ada.gov](http://ada.gov) or [www.usdoj.gov/crt/ada/ada.html](http://www.usdoj.gov/crt/ada/ada.html).

Sincerely,

*Heidi Dalgelt Finger*  
for HAROLD M. BUSCH  
Director  
Division of Program Operations